

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Public Lands and Buildings: House bill No. 1014.

Appropriations: House bill No. 510.

Municipal and Private Corporations: Senate bills Nos. 37 and 571.

The following committees have filed adverse reports on bills, as follows:

Live Stock and Stock Raising: House bill No. 405.

Municipal and Private Corporations: House bill No. 722.

The following committees have filed adverse reports, with a minority favorable report, on bills, as follows:

Municipal and Private Corporations: House bill No. 67.

Revenue and Taxation: House bill No. 325.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 415, A bill to be entitled "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than two hundred (200) population shall be changed without the consent of the commissioners court of the county

wherein said town or city is situated, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 100, A bill to be entitled "An Act to qualify certain consolidated school districts to receive bonuses and transportation aid under the provisions of the Rural Aid Law for the 1929-31 biennium; authorizing and directing the State Superintendent of Public Instruction to pay such aid out of the current State aid appropriation, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, April 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 50 (by Donnell),

Resolved, That the State Auditor make an audit of depositors' guaranty fund, act creating same having been passed in 1909, and repealed by Chapter 12, Acts Regular Session, Fortieth Legislature,

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

FORTIETH DAY.

(Friday, April 10, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Barron.
Adams of Harris.	Beck.
Adams of Jasper.	Bedford.
Adamson.	Bounds.
Adkins.	Boyd.
Akin.	Bradley.
Albritton.	Brice.
Alsup.	Brooks.
Anderson.	Bryant.
Baker.	Burns of Walker.

Burns	Laird.
of McCulloch.	Lasseter.
Carpenter.	Lemens.
Caven.	Leonard.
Claunch.	Lilley.
Coltrin.	Lockhart.
Coombes.	Long.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Cunningham.	McGill.
Dale.	McGregor.
Daniel.	Magee.
Davis.	Martin.
DeWolfe.	Mathis.
Dodd.	Mehl.
Donnell.	Metcalfe.
Dowell.	Moffett.
Dunlap.	Moore.
Duvall.	Munson.
Dwyer.	Murphy.
Elliott.	Nicholson.
Engelhard.	Olsen.
Farmer.	O'Quinn.
Farrar.	Patterson.
Ferguson.	Petsch.
Finn.	Pope.
Fisher.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Reader.
Gilbert.	Richardson.
Giles.	Rogers.
Goodman.	Rountree.
Graves.	Sanders.
Greathouse.	Savage.
Grogan.	Scott.
Hanson.	Shelton.
Hardy.	Sherrill.
Harman.	Smith of Bastrop.
Harrison	Smith of Wood.
of El Paso.	Sparkman.
Hatchitt.	Stephens.
Hefley.	Stevenson.
Herzik.	Strong.
Hill.	Sullivant.
Hines.	Tarwater.
Holland.	Terrell of Cherokee.
Holloway.	Terrell of Val Verde.
Hoskins.	Towery.
Howsley.	Turner.
Hubbard.	Van Zandt.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson of Dallam.	Wagstaff.
Johnson of Dimmit.	Walker.
Johnson of Morris.	Warwick.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Justiss.	Wiggs.
Kayton.	Wyatt.
Keller.	Young.
Kennedy.	

Absent.

Harrison	Weinert.
of Waller.	Westbrook.
Holder.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

LEAVES OF ABSENCE
GRANTED.

The following members were
granted leaves of absence on account
of important business:

Mr. Lee for today, on motion of Mr.
Burns of McCulloch.

Mr. Satterwhite for today, on mo-
tion of Mr. Coombes.

Mr. Donnell for today, on motion of
Mr. Hatchitt.

Mr. Bond for today and tomorrow,
on motion of Mr. Dowell.

The following member was granted
leave of absence on account of illness:

Mr. Steward for yesterday and to-
day, on motion of Mr. Pope.

BILL RE-REFERRED.

On motion of Mr. Adkins, House
bill No. 888 was withdrawn from the
Committee on State Affairs and re-
ferred to the Committee on Revenue
and Taxation.

BILLS ORDERED, NOT PRINTED.

On motion of Mr. Holland, Senate
bills Nos. 275 and 276 were ordered
not printed.

On motion of Mr. Wyatt, Senate
bill No. 309 was ordered not printed.

On motion of Mr. Dwyer, Senate
bill No. 352 was ordered not printed.

On motion of Mr. Finn, Senate bill
No. 53 was ordered not printed.

BILLS LAID ON THE TABLE SUB-
JECT TO CALL.

On motion of Mr. Leonard, House
bill No. 484 was laid on the table sub-
ject to call.

On motion of Mr. Hardy, House
bill No. 585 was laid on the table sub-
ject to call.

RELATIVE TO HOUSE CONCUR-
RENT RESOLUTION NO. 45.

On motion of Mrs. Rountree, the
Chief Clerk of the House was in-
structed to send a copy of House con-
current resolution No. 45, expressing

appreciation to the United States Department of Agriculture and to the Secretary of the Department of Agriculture.

RELATIVE TO CONSIDERATION OF RESOLUTIONS.

On motion of Mr. Petsch, the House (by unanimous consent), agreed to dispense with consideration of resolutions at this time.

HOUSE JOINT RESOLUTION NO. 25 ON THIRD READING.

The Speaker laid before the House, as a special order for this hour, on its third reading and final passage,

H. J. R. No. 25, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new section to be numbered 3, so as to authorize any county having more than 150,000 population to adopt a home rule charter for the establishment and regulation of its government, which may provide that the commissioners court of such counties may serve as the governing body, or that some other body shall act in lieu thereof, and said charter may also provide that the county judges, justices of the peace, district and county attorneys and other officers of said counties may be compensated by salary instead of fees of office.

The resolution was read third time.

(Pending consideration of the resolution, Mr. McGill occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Lockhart moved a call of the House for the purpose of maintaining a quorum pending consideration of House joint resolution No. 25, and the call was duly seconded.

Question then recurring on the motion for the call of the House, it was lost.

Mr. Duvall offered the following amendment to the resolution:

Amend House joint resolution No. 25, Section 2, Subsection (c), by adding after the word "and" in line 18, the following: "judges of all courts, county and district attorney."

Mr. Petsch moved that further consideration of the resolution be postponed at this time, and that the resolution be set as a special order for 11 a. m. next Monday.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 739, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not more than six thousand three hundred twenty (6320) and not less than six thousand three hundred ten (6310) according to the United States census of 1930, and declaring an emergency."

H. B. No. 787, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this act applicable only to counties having a population not exceeding 30,000, and declaring an emergency."

The Senate has adopted

Senate resolution No. 103, Requesting the House to return House bill No. 820 to the Senate for further consideration.

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 683, WITH SENATE AMENDMENTS.

Mr. Howsley called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 683, A bill to be entitled "An Act to provide that the State Highway Commission shall be authorized to require that all contracts for the construction, maintenance and improvement of any designated State highway shall contain a provision that no person shall be employed by

the contractor to perform manual labor in the course of such work at a wage of less than thirty cents per hour; fixing penalties; and providing for the enforcement of such contract, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Howsley moved that the House concur in the Senate amendments.

Mr. Kayton moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses.

Question first recurring on the motion by Mr. Kayton, it was lost by the following vote:

Yeas—50.

Adams of Jasper.	Herzik.
Adamson.	Hoskins.
Adkins.	Johnson
Albritton.	of Dimmit.
Anderson.	Jones of Shelby.
Baker.	Justiss.
Beck.	Kayton.
Bounds.	Lasseter.
Carpenter.	Lockhart.
Claunch.	Long.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Lamar.	Magee.
Dale.	Martin.
Dodd.	Mathis.
Dowell.	Metcalf.
Dunlap.	Moffett.
Elliott.	Nicholson.
Farrar.	Pope.
Ferguson.	Richardson.
Ford.	Scott.
Giles.	Sparkman.
Goodman.	Stephens.
Hanson.	Van Zandt.
Hardy.	West of Coryell.
Harrison	
of El Paso.	

Nays—54.

Akin.	Farmer.
Barron.	Forbes.
Boyd.	Gilbert.
Bradley.	Graves.
Brice.	Grogan.
Bryant.	Hefley.
Burns	Hines.
of McCulloch.	Holland.
Burns of Walker.	Holloway.
Caven.	Howsley.
Cox of Limestone.	Hughes.
Cunningham.	Jackson.
Davis.	Johnson of Morris.
Donnell.	Keller.
Dwyer.	Kennedy.
Engelhard.	Laird.

Lemens.	Savage.
Lilley.	Shelton.
Mehl.	Smith of Bastrop.
Murphy.	Smith of Wood.
Olsen.	Sullivant.
O'Quinn.	Tarwater.
Petsch.	Terrell
Ratliff.	of Cherokee.
Ray.	Turner.
Reader.	Veatch.
Rogers.	Wagstaff.
Rountree.	Walker.

Present—Not Voting.

Jones of Atascosa.

Absent.

Adams of Harris.	McCombs.
Alsup.	McGregor.
Bedford.	Moore.
Brooks.	Munson.
Daniel.	Patterson.
DeWolfe.	Ramsey.
Duvall.	Sanders.
Finn.	Sherrill.
Fisher.	Stevenson.
Fuchs.	Strong.
Greathouse.	Terrell
Harman.	of Val Verde.
Harrison	Towery.
of Waller.	Vaughan.
Hatchitt.	Warwick.
Hill.	Weinert.
Holder.	West of Cameron.
Hubbard.	Westbrook.
Johnson	Wiggs.
of Dallam.	Wyatt.
Leonard.	Young.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

Question then recurring on the motion by Mr. Howsley, it prevailed by the following vote:

Yeas—85.

Adams of Jasper.	Cox of Limestone.
Adamson.	Cunningham.
Akin.	Dale.
Baker.	Davis.
Barron.	Dodd.
Beck.	Donnell.
Boyd.	Dowell.
Bradley.	Dwyer.
Brice.	Elliott.
Bryant.	Engelhard.
Burns of Walker.	Farmer.
Burns	Finn.
of McCulloch.	Forbes.
Caven.	Gilbert.
Coltrin.	Goodman.
Coombes.	Graves.

Grogan.	Moffett.
Hanson.	Olsen.
Hatchitt.	O'Quinn.
Hefley.	Petsch.
Herzik.	Ratliff.
Hines.	Ray.
Holland.	Reader.
Holloway.	Richardson.
Hoskins.	Rogers.
Howsley.	Rountree.
Hughes.	Savage.
Jackson.	Shelton.
Johnson of Morris.	Sherrill.
Jones of Shelby.	Smith of Bastrop.
Jones of Atascosa.	Smith of Wood.
Justiss.	Sparkman.
Keller.	Strong.
Kennedy.	Sullivant.
Laird.	Tarwater.
Lemens.	Terrell
Leonard.	of Cherokee.
Lilley.	Turner.
Long.	Van Zandt.
McDougald.	Veatch.
Magee.	Wagstaff.
Martin.	Walker.
Mehl.	West of Coryell.
Metcalfe.	

Nays—23.

Albritton.	Harrison
Anderson.	of El Paso.
Bedford.	Johnson
Bounds.	of Dimmit.
Carpenter.	Kayton.
Claunch.	Lasseter.
Cox of Lamar.	Lockhart.
Dunlap.	McGill.
Farrar.	Mathis.
Ferguson.	Murphy.
Ford.	Nicholson.
Giles.	Scott.
Hardy.	

Present—Not Voting.

Stephens.

Absent.

Adams of Harris.	McGregor.
Adkins.	Moore.
Alsup.	Munson.
Brooks.	Patterson.
Daniel.	Pope.
DeWolfe.	Ramsey.
Duvall.	Sanders.
Fisher.	Stevenson.
Fuchs.	Terrell
Greathouse.	of Val Verde.
Harman.	Towery.
Harrison	Vaughan.
of Waller.	Warwick.
Hill.	Weinert.
Holder.	West of Cameron.
Hubbard.	Westbrook.
Johnson	Wiggs.
of Dallam.	Wyatt.
McCombs.	Young.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

NOTICE GIVEN.

Mr. Anderson gave notice that he would, on next Tuesday, move to take up, for consideration at that time, House joint resolution No. 26, which resolution had heretofore been laid on the table subject to call.

HOUSE BILL NO. 966 ON SECOND READING.

Mr. Bradley moved to take up, for consideration at this time,

H. B. No. 966, A bill to be entitled "An Act providing for the attendance of the Attorney General of this State upon all hearings of the commissioners court when sitting as a board of equalization in any county of this State where the State has relinquished its ad valorem taxes to said county, either in whole or in part, for any purpose, etc., and declaring an emergency."

The bill having heretofore been laid on the table subject to call and due notice having been given that the motion to take the bill up would be made today.

The motion prevailed.

The Speaker then laid the bill before the House, and it was read second time.

(Mr. Keller in the chair.)

Mr. Graves offered the following amendment to the bill:

Amend House bill No. 966 by striking all below the enacting clause and substituting the following:

"Section 1. Not later than fifteen days before the convening of the commissioners court as a board of equalization in any county to which county, or any part of said county, the State of Texas has relinquished its ad valorem taxes, either in whole or in part, for any year or years, and for any purpose or purposes, it shall be the duty of the commissioners court by an order entered upon its minutes to fix the day and hour for hearing when it will meet as a board of equalization under authority of Article 7206 of the Revised Civil Statutes of 1925. Immediately after the order is entered, it shall be the duty of the county clerk to send by registered mail a certified copy of said order to the Attorney General of the State of Texas, at Austin, Texas.

"Sec. 2. When such notice has been received by the Attorney General, it shall be his duty to attend said hearing in person or by one or more assistants, if he deems it for the best interest of the State of Texas. If in the opinion of the Attorney General he deems it to be the best interest of the State of Texas that he or his assistants be present at the hearing, he shall in writing notify the county clerk of said county of his intention to be present and it shall be the duty of said county clerk on receipt of said notice and before the day set for said hearing, immediately to notify the county judge that the Attorney General has advised that he desires to participate in said hearing.

"Sec. 3. Upon the meeting or convening of said board of equalization, the Attorney General, if he be present, or such of his assistants as he may have designated, shall have the right to inspect any and all renditions, assessments, assessment books or lists of assessments of the assessor of taxes under the jurisdiction of said board of equalization, and if in the opinion of the Attorney General, or his designated assistants, the valuation of any property has not been fixed in accordance with the laws of the State of Texas, or the same is not being assessed at its fair valuation for the purpose of taxation, he shall demand that a day be set by the board of equalization for a hearing, at which hearing the fair and correct value at which said property should be rendered or assessed shall be fixed and determined; the date of said hearing shall be not more than forty-five days from the date upon which said hearing is demanded.

"Sec. 4. The owner or owners of any property, the value of which is to be determined in accordance with the terms of this act, shall be duly notified of such hearing in the time now provided, by law, for hearings before boards of equalization, and upon said hearing, the Attorney General or his assistants shall have the right, and it is made their duty to subpoena all witnesses and introduce all pertinent evidence touching the valuation of said properties and demand and receive access to any and all books and records of said property owners which may be deemed necessary in order to establish the true value of the property. The owner or owners of said property shall have all rights herein granted to the Attorney General, and

assistants and, in addition thereto, shall have all rights now granted to them under existing laws.

"Sec. 5. The State of Texas or the owner or owners of said property shall have the right to appeal from any order of the board of equalization fixing the value of any property for taxation purposes; notice of appeal shall be given by the Attorney General or his assistants or by the owner or owners of said property. The appeal shall be to the district court having jurisdiction over said county, or if there be more than one district court having said jurisdiction, then any of them; and the trial shall be de novo. The only issue to be determined in said court shall be the question of proper valuation as provided for in Chapter 7, Title 122, Revised Civil Statutes of 1925, and especially Articles 7211 and 7212 thereof.

"Sec. 6. The failure, refusal or neglect of the commissioners court to enter the order provided for herein, and its failure, refusal or neglect to conduct a hearing upon the request of the Attorney General as herein provided, or the failure, refusal or neglect of the county clerk to send, in the manner provided herein, a certified copy of the order for said hearing to the Attorney General shall constitute official misconduct and said officer may be removed from office in the manner prescribed by law save and except that venue in such cases may be had in the county where the officer sought to be removed resides.

"Sec. 7. That the provisions of this act are separable and if any section or part hereof shall be held unconstitutional or void by any court for any reason, the same shall not affect the validity of any other part or section of this act, and the same shall remain and be in full force and effect.

"Sec. 8. The fact that in some counties in this State to which or to some part of which the State of Texas has, by legislative enactment, relinquished all or a part of its taxes only as long as the same may be necessary to carry out the purposes of the relinquishment and the further fact that it has been repeatedly charged that in some counties properties of great value, the valuation of which is difficult of determination, have been accepted by the taxing authorities for taxation purposes at a very small per cent of their true value, and at a less per cent of true valuation than other

properties in said counties have been assessed, creates an emergency and imperative public necessity that the constitutional rule requiring that all bills be read on three several days in each house be suspended and the same is hereby suspended, and that this act shall take effect immediately upon its passage, and it is so enacted."

LONG,
GRAVES.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 10, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 102, Requesting the House to remove the signature of the House officers from House bill No. 725, and return said bill to Senate for further consideration.

Respectfully,
BOB BARKER,
Secretary of the Senate.

GRANTING REQUEST OF THE SENATE.

On motion of Mr. Pope, the House granted the request of the Senate for the return of House bill No. 725.

On motion of Mrs. Hughes, the House granted the request of the Senate for the return of House bill No. 820.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 865, "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

H. B. No. 874, "An Act to authorize the selection of school depositories for independent districts in certain counties regardless of the population of said districts, and declaring an emergency."

S. B. No. 334, "An Act to amend Article 7642 of the Revised Civil Statutes of 1925, which article relates to

the qualifications of tax assessor and collector for water improvement districts, and declaring an emergency."

H. C. R. No. 40, Relative to preventing grass from growing on public highways.

S. B. No. 222, "An Act fixing the number and term of office of school trustees of independent districts having a population of more than 200,000 by the Federal census of 1930; adjusting the terms of trustees to conform to the provisions of this act; providing for filling of all vacancies in office; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 337, "An Act to define marginal wells; declaring it to constitute waste artificially to restrict the normal production therefrom; directing the Railroad Commission to promulgate rules and regulations to prevent such artificial restriction except in certain cases; providing for notices, hearing and reviews of such rules and orders; prohibiting the artificial restriction of such wells, and providing for penalties; declaring each provision independent of each other provision, and declaring an emergency."

S. B. No. 301, "An Act amending Article 3293 by adding thereto Article 3293a, providing for the appointment of an administrator for a person where it is necessary that such be appointed, to receive funds or money due such person from the Federal government, fixing venue and the grounds therefor; providing for the giving of notice, and declaring an emergency."

S. B. No. 37, "An Act to amend Article 1330, Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 241, "An Act to amend Title 23 of the Revised Civil Statutes of Texas of 1925, entitled 'Brands and Trademarks,' by adding thereto Articles 851a and 851b, providing for the cancellation of the filing of and withdrawal from registration by the Secretary of State of labels, trademarks, designs, devices, imprints or forms of advertisement heretofore or hereafter filed in accordance with Article 851 of the Revised Civil Statutes of 1925, and providing for the registration of similar or identical labels, trademarks, designs, devices, imprints or forms of advertisement by others, and declaring an emergency."

S. B. No. 229, "An Act to amend Article 722 of the Revised Civil Stat-

utes of the State of Texas of 1925, providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

S. B. No. 268, "An Act defining certain offenses; providing for penalties; defining terms used in this act; providing for the repeal of conflicting statutes; providing for the separability of the provisions of this act; enacting all necessary provisions incidental to the general purpose of the act, and declaring an emergency."

S. B. No. 371, "An Act providing for and directing the taxation of mineral rights in public school lands sold by the State with a mineral reservation against the owner while said lands are under lease by the owner of the soil as the State's agent; providing the means and manner thereof and for back assessments and collections, and declaring an emergency."

H. B. No. 7, "An Act regulating the practice of medicine; amending Article 4495 of the Revised Civil Statutes of 1925, so as to provide for the Texas State Board of Medical Examiners and for the appointment of the members of said Board, etc., and declaring an emergency."

H. B. No. 9, "An Act defining fraternal benefit societies; providing a lodge system and requiring a representative form of government; prescribing the qualifications of membership therein, and granting members right to designate their own beneficiaries, etc., and declaring an emergency."

H. B. No. 13, "An Act to encourage and aid in the conservation of soil fertility in the counties of Texas, and to maintain the productiveness of agricultural lands for the production of essential foods and commercial crops upon which the public well-being depends, etc., and declaring an emergency."

H. B. No. 124, "An Act to confirm and validate the sale by the State, acting through the Board of Regents of the University of Texas, of certain University lands situated in Lamar county, Texas, reserving to the State the minerals in said lands, and creating an emergency."

H. B. No. 477, "An Act to amend Article 6899a of Chapter 1, Title 121, of the Revised Civil Statutes of 1925, which was enacted at the Regular Session of the Forty-first Legislature,

page 561, Chapter 273, so as to include Wharton county, and declaring an emergency."

H. B. No. 760, "An Act to amend Chapter 274, Acts of the Fortieth Legislature, Regular Session, as amended by Chapter 8, Acts of the Fortieth Legislature, First Called Session, relating to the offense of murder; providing additional procedure for instructing the jury upon the trial of the offense of murder, and declaring an emergency."

H. B. No. 744, "An Act repealing Chapter 86 of the Third Called Session of the Thirty-sixth Legislature, known as House bill No. 164, and being a special road law for Blanco county, and providing that the general road laws of the State of Texas shall govern in Blanco county from the date of the passage of this act, with the following exceptions and additional provisions herein set out, and providing for the refunding of indebtedness of Blanco county heretofore made and evidenced by warrants or certificates of indebtedness heretofore issued, and as such same shall be known as the local road laws of Blanco county."

H. B. No. 570, "An Act providing a more efficient road law for Sabine county, Texas; authorizing the commissioners court to refund the matured and unpaid principal and interest of its county-wide road bonds, dated January 1, 1918, by the issuance of refunding bonds in said amount, bearing interest at the same or a lower rate than the interest of said original bonds, providing for their maturities, for the levy of a tax in payment thereof, making this act cumulative of all other laws applicable to said county in harmony with the provisions hereof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 571, "An Act providing a more efficient road law for Sabine county, Texas; authorizing the commissioners court to refund the indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof; making this act cumulative of all other laws applicable to said laws in harmony with the provisions heretof, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 761, "An Act to amend Article 1160, Penal Code, 1925, relating to the offense of assault with

intent to murder, and adding to Chapter 4, Title 15, Penal Code of the State of Texas, Article 1160a, providing that upon the trial of one charged with the offense mentioned there shall be an instruction defining malice aforethought and, in a proper case, murder without malice; fixing the penalty for assault with intent to murder without malice; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 859, "An Act to repeal Chapter 97 of the Special Laws of the Thirty-ninth Legislature, and Chapter 30, Special Laws of the First Called Session of the Fortieth Legislature, being local road laws for the county of Wood, and declaring an emergency."

RECESS.

On motion of Mr. Burns of McCulloch, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Hon. Fred H. Minor, Speaker.

HOUSE BILL NO. 966 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 966, the bill having heretofore been read second time, with amendment by Mr. Graves pending.

Mr. Harrison of El Paso moved that further consideration of the bill be postponed until 10 o'clock a. m. next Thursday.

Mr. Petsch moved to table the motion.

The motion to table prevailed.

Mr. Beck offered the following amendment to the amendment:

Amend amendment No. 1 to House bill No. 966 by striking out of Section 1 the following words: "in any county to which county, or any part of said county, the State of Texas has relinquished its ad valorem taxes either in whole or in part, for any year or years, and for any purpose or purposes."

Mr. Tarwater moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 966.

Question then recurring on the motion for the call of the House, it was lost.

Mr. Van Zandt moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Beck, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—50.

Akin.	Lemens.
Alsup.	Leonard.
Baker.	Lilley.
Barron.	Lockhart.
Beck.	Long.
Burns of Walker.	McGill.
Coltrin.	McGregor.
Cox of Limestone.	Magee.
Dowell.	Munson.
Engelhard.	Petsch.
Fisher.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Giles.	Shelton.
Goodman.	Smith of Wood.
Graves.	Sparkman.
Hanson.	Stephens.
Herzik.	Strong.
Hoskins.	Sullivant.
Howsley.	Tarwater.
Hughes.	Terrell of Cherokee.
Johnson	Van Zandt.
of Dimmit.	Wagstaff.
Johnson of Morris.	Walker.
Kennedy.	Warwick.
Lasseter.	

Nays—54.

Adams of Jasper.	Hines.
Adamson.	Holland.
Adkins.	Holloway.
Albritton.	Jackson.
Bedford.	Johnson
Bounds.	of Dallam.
Bradley.	Jones of Shelby.
Brice.	Justiss.
Bryant.	Kayton.
Carpenter.	Laird.
Caven.	McCombs.
Claunch.	Mathis.
Cox of Lamar.	Mehl.
Cunningham.	Moore.
Dale.	Murphy.
Davis.	Olsen.
Donnell.	O'Quinn.
Dunlap.	Patterson.
Elliott.	Pope.
Farmer.	Ramsey.
Farrar.	Ray.
Greathouse.	Reader.
Grogan.	Richardson.
Harman.	Smith of Bastrop.
Harrison	Stevenson.
of El Paso.	Turner.
Hefley.	West of Cameron.
Hill.	Wyatt.

Absent.

Adams of Harris.	Jones of Atascosa.
Anderson.	Keller.
Boyd.	McDougald.
Brooks.	Martin.
Burns	Metcalf.
of McCulloch.	Moffett.
Coombes.	Nicholson.
Daniel.	Ratliff.
DeWolfe.	Savage.
Dodd.	Scott.
Duvall.	Sherrill.
Dwyer.	Terrell
Ferguson.	of Val Verde.
Finn.	Towery.
Fuchs.	Vaughan.
Gilbert.	Veatch.
Hardy.	Weinert.
Harrison	West of Coryell.
of Waller.	Westbrook.
Hatchitt.	Wiggs.
Holder.	Young.
Hubbard.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

Question then recurring on the amendment by Mr. Graves, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—77.

Adamson.	Graves.
Adkins.	Greathouse.
Akin.	Hanson.
Albritton.	Harman.
Alsup.	Herzik.
Anderson.	Holland.
Barron.	Holloway.
Beck.	Hoskins.
Bradley.	Howsley.
Brice.	Hughes.
Brooks.	Johnson
Bryant.	of Dallam.
Burns of Walker.	Johnson
Burns	of Dimmit.
of McCulloch.	Johnson of Morris.
Caven.	Jones of Shelby.
Coltrin.	Jones of Atascosa.
Cox of Lamar.	Justiss.
Cox of Limestone.	Kayton.
Donnell.	Keller.
Dowell.	Kennedy.
Elliott.	Lemens.
Engelhard.	Lockhart.
Farmer.	Long.
Farrar.	McGill.
Forbes.	McGregor.
Giles.	Magee.
Goodman.	Mehl.

Moffett.	Sullivant.
Munson.	Tarwater.
Olsen.	Terrell
Petsch.	of Cherokee.
Ray.	Van Zandt.
Richardson.	Veatch.
Rogers.	Wagstaff.
Rountree.	Walker.
Scott.	Warwick.
Sherrill.	West of Coryell.
Smith of Bastrop.	Wyatt.
Stephens.	Young.
Strong.	

Nays—32.

Adams of Jasper.	Hines.
Baker.	Jackson.
Bedford.	Laird.
Bounds.	Lilley.
Carpenter.	Mathis.
Claunch.	Moore.
Dale.	O'Quinn.
Daniel.	Patterson.
Davis.	Pope.
Dunlap.	Ramsey.
Fisher.	Reader.
Grogan.	Sanders.
Hardy.	Shelton.
Harrison	Smith of Wood.
of El Paso.	Turner.
Hefley.	West of Cameron.
Hill.	

Absent.

Adams of Harris.	Leonard.
Boyd.	McCombs.
Coombes.	McDougald.
Cunningham.	Martin.
DeWolfe.	Metcalf.
Dodd.	Murphy.
Duvall.	Nicholson.
Dwyer.	Ratliff.
Ferguson.	Savage.
Finn.	Sparkman.
Ford.	Stevenson.
Fuchs.	Terrell
Gilbert.	of Val Verde.
Harrison	Towery.
of Waller.	Vaughan.
Hatchitt.	Weinert.
Holder.	Westbrook.
Hubbard.	Wiggs.
Lasseter.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

Mr. Graves offered the following amendment to the bill:

Amend House bill No. 966 by striking out all above enacting clause and substitute the following:

A bill to be entitled "An Act providing for the attendance of the At-

torney General of Texas upon all hearings of the commissioners court, when sitting as a board of equalization in any county in this State, where the State has relinquished its ad valorem taxes to said county, or any part of said county, either in whole or in part, for any purpose; providing for notice to be given the Attorney General by the county clerk; providing for the procedure in such cases; permitting the State of Texas or the owner or owners of property to appeal to the district court in certain instances; providing certain duties of the commissioners court and the county clerk; and declaring that the failure of said officers to perform said duties shall constitute misconduct in office, fixing the venue in suit for removal from office; providing certain saving clauses; prescribing the duties of the Attorney General, and declaring an emergency."

The amendment was adopted.

House bill No. 966 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 966.

Mr. Bradley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 966 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—72.

Adkins.	Giles.
Akin.	Goodman.
Albritton.	Graves.
Alsup.	Greathouse.
Barron.	Hanson.
Beck.	Hardy.
Bradley.	Herzik.
Brice.	Holland.
Brooks.	Holloway.
Bryant.	Hoskins.
Burns of Walker.	Howsley.
Burns	Johnson
of McCulloch.	of Dallam.
Caven.	Johnson
Claunch.	of Dimmit.
Coltrin.	Johnson of Morris.
Cox of Lamar.	Jones of Shelby.
Cox of Limestone.	Jones of Atascosa.
Daniel.	Keller.
Dowell.	Kennedy.
Elliott.	Lemens.
Farmer.	Long.
Farrar.	McGregor.
Fisher.	Magee.
Forbes.	Mehl.

Munson.	Stephens.
Olsen.	Strong.
Petsch.	Sullivant.
Ray.	Tarwater.
Reader.	Terrell
Richardson.	of Cherokee.
Rogers.	Van Zandt.
Rountree.	Veatch.
Sanders.	Walker.
Scott.	Warwick.
Shelton.	West of Coryell.
Sherrill.	Wyatt.
Smith of Bastrop.	Young.

Nays—35.

Adams of Jasper.	Jackson.
Baker.	Justiss.
Bedford.	Kayton.
Bounds.	Laird.
Carpenter.	Leonard.
Dale.	Lilley.
Davis.	McGill.
Donnell.	Mathis.
Dunlap.	Moffett.
Engelhard.	Moore.
Grogan.	O'Quinn.
Harman.	Patterson.
Harrison	Pope.
of El Paso.	Smith of Wood.
Hefley.	Stevenson.
Hill.	Turner.
Hines.	Wagstaff.
Hughes.	West of Cameron.

Absent.

Adams of Harris.	Lasseter.
Adamson.	Lockhart.
Anderson.	McCombs.
Boyd.	McDougald.
Coombes.	Martin.
Cunningham.	Metcalf.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Ferguson.	Savage.
Finn.	Sparkman.
Ford.	Terrell
Fuchs.	of Val Verde.
Gilbert.	Towery.
Harrison	Vaughan.
of Waller.	Weinert.
Hatchitt.	Westbrook.
Holder.	Wiggs.
Hubbard.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 10, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 820, A bill to be entitled "An Act to provide that counties having a population of not less than 325,700 and not more than 325,900 shall have the authority to establish, own and operate a parental home and school for the care and training of dependent and delinquent youth; providing for defraying the expenses thereof, the administration of said home; providing for the commitment of individuals, validating bonds issued for such purpose, and declaring an emergency," with amendments.

H. B. No. 725, A bill to be entitled "An Act authorizing any navigation district organized or hereafter to be organized under any of the provisions of the Constitution or Laws of this State, created for the development of deep water navigation, having within its limits a city now operating under special charter originally granted by the Legislature and having between 27,000 and 28,000 inhabitants, as shown by the last Federal census, to borrow money and to mortgage and encumber any part or all of its properties and facilities and the franchise and revenues and income from the operation thereof and everything pertaining thereto, etc., and declaring an emergency," with amendments.

The Senate has refused to pass

S. B. No. 87, A bill to be entitled "An Act to amend Article 2624, Title 49, Chapter 5, of the Revised Civil Statutes of 1925, changing the name of the College of Industrial Arts to 'Texas College for Women,' and repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 200, A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

GRANTING REQUEST OF THE SENATE.

Mr. Stevenson called up from the Speaker's table, for consideration at

this time, the request of the Senate for the appointment of a conference committee on Senate bill No. 283, and moved that the request be granted.

The motion prevailed.

HOUSE BILL NO. 59, WITH SENATE AMENDMENTS.

Mr. Warwick called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 64 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 123, relating to the salary of district attorneys, and amending Chapter 55 of the Acts of the Regular Session of the Thirty-fifth Legislature, page 94, relating to the appointment and compensation of assistants to district attorneys, and amending Article 1021 of the Code of Criminal Procedure of Texas, relating to the per diem of district attorneys in all judicial districts composed of two or more counties, and limiting the per diem to 230 days in any one year, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Warwick, the House concurred in the Senate amendments by the following vote:

Yeas—108.

Mr. Speaker.	Donnell.
Adams of Jasper.	Dowell.
Adamson.	Dunlap.
Adkins.	Elliott.
Akin.	Engelhard.
Albritton.	Farmer.
Alsup.	Farrar.
Baker.	Fisher.
Barron.	Forbes.
Bounds.	Giles.
Bradley.	Goodman.
Brice.	Graves.
Brooks.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Burns	Hardy.
of McCulloch.	Harman.
Carpenter.	Hefley.
Caven.	Herzik.
Claunch.	Hill.
Coltrin.	Hines.
Cox of Lamar.	Holland.
Cox of Limestone.	Holloway.
Cunningham.	Hoskins.
Dale.	Howsley.
Daniel.	Hubbard.
Davis.	Hughes.

Jackson.	Pope.
Johnson	Ray.
of Dallam.	Reader.
Johnson	Richardson.
of Dimmit.	Rogers.
Johnson of Morris.	Rountree.
Jones of Shelby.	Sanders.
Jones of Atascosa.	Scott.
Justiss.	Sherrill.
Kayton.	Smith of Bastrop.
Keller.	Smith of Wood.
Kennedy.	Stephens.
Laird.	Stevenson.
Lemens.	Strong.
Leonard.	Sullivant.
Lilley.	Tarwater.
Lockhart.	Terrell
Long.	of Cherokee.
McGill.	Turner.
McGregor.	Van Zandt.
Magee.	Vaughan.
Mathis.	Veatch.
Mehl.	Wagstaff.
Moffett.	Walker.
Munson.	Warwick.
Olsen.	West of Coryell.
O'Quinn.	West of Cameron.
Patterson.	Wyatt.
Petsch.	Young.

Nays—1.

Anderson.

Absent.

Adams of Harris.	Lasseter.
Beck.	McCombs.
Bedford.	McDougald.
Boyd.	Martin.
Coombes.	Metcalfe.
DeWolfe.	Moore.
Dodd.	Murphy.
Duwall.	Nicholson.
Dwyer.	Ramsey.
Ferguson.	Ratliff.
Finn.	Savage.
Ford.	Shelton.
Fuchs.	Sparkman.
Gilbert.	Terrell
Harrison	of Val Verde.
of El Paso.	Towery.
Harrison	Weinert.
of Waller.	Westbrook.
Hatchitt.	Wiggs.
Holder.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 725, WITH SENATE AMENDMENTS.

Mr. Pope called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 725, A bill to be entitled "An Act authorizing any navigation district organized or hereafter to be organized under any of the provisions of the Constitution or Laws of this State, created for the development of deep water navigation, having within its limits a city now operating under special charter originally granted by the Legislature and having between 27,000 and 28,000 inhabitants, as shown by the last Federal census, to borrow money and to mortgage and encumber any part or all of its properties and facilities and the franchise and revenues and income from the operation thereof and everything pertaining thereto, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Pope, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Adams of Jasper.	Harman.
Adkins.	Harrison
Akin.	of El Paso.
Albritton.	Hefley.
Alsup.	Hill.
Anderson.	Hines.
Baker.	Holland.
Barron.	Holloway.
Beck.	Hoskins.
Bedford.	Howsley.
Bounds.	Hubbard.
Bradley.	Hughes.
Brice.	Jackson.
Brooks.	Johnson
Bryant.	of Dallam.
Burns of Walker.	Johnson
Burns	of Dimmit.
of McCulloch.	Jones of Shelby.
Caven.	Jones of Atascosa.
Claunch.	Kayton.
Coltrin.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Dale.	Lemens.
Daniel.	Leonard.
Donnell.	Lilley.
Dowell.	Lockhart.
Dunlap.	Long.
Elliott.	McGregor.
Engelhard.	Magee.
Farrar.	Mathis.
Fisher.	Mehl.
Forbes.	Moffett.
Goodman.	Moore.
Graves.	Munson.
Greathouse.	Olsen.
Grogan.	O'Quinn.
Hanson.	Patterson.
Hardy.	Petsch.

Pope.	Strong.
Ray.	Sullivan.
Reader.	Terrell
Richardson.	of Cherokee.
Rogers.	Turner.
Rountree.	Vaughan.
Sanders.	Veatch.
Scott.	Wagstaff.
Sherrill.	Walker.
Smith of Bastrop.	Warwick.
Smith of Wood.	West of Coryell.
Sparkman.	West of Cameron.
Stephens.	Wyatt.
Stevenson.	

Nays—1.

Farmer.

Absent.

Adams of Harris.	Justiss.
Adamson.	Lasseter.
Boyd.	McCombs.
Carpenter.	McDougald.
Coombes.	McGill.
Cunningham.	Martin.
Davis.	Metcalfe.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Ferguson.	Savage.
Finn.	Shelton.
Ford.	Tarwater.
Fuchs.	Terrell
Gilbert.	of Val Verde.
Giles.	Towery.
Harrison	Van Zandt.
of Waller.	Weinert.
Hatchitt.	Westbrook.
Herzik.	Wiggs.
Holder.	Young.
Johnson of Morris.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 820 WITH SENATE AMENDMENTS.

Mrs. Hughes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 820, A bill to be entitled "An Act to provide that counties having a population of not less than 325,700 and not more than 325,900 shall have the authority to establish, own and operate a parental home and school for the care and training of dependent and delinquent youth, providing for defraying the expenses thereof, the administration of said home, providing for the commitment

of individuals, validating bonds issued for such purpose, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mrs. Hughes, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Akin.	Johnson of Morris.
Albritton.	Jones of Shelby.
Alsup.	Jones of Atascosa.
Baker.	Justiss.
Barron.	Kayton.
Bedford.	Keller.
Bounds.	Kennedy.
Bradley.	Laird.
Brice.	Lemens.
Brooks.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Burns	Long.
of McCulloch.	McGregor.
Caven.	Magee.
Claunch.	Mathis.
Coltrin.	Mehl.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Munson.
Dale.	O'Quinn.
Daniel.	Patterson.
Donnell.	Petsch.
Dowell.	Pope.
Dunlap.	Ray.
Elliott.	Reader.
Engelhard.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Goodman.	Scott.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Stephens.
Harman.	Stevenson.
Harrison	Strong.
of El Paso.	Sullivan.
Hefley.	Tarwater.
Herzik.	Terrell
Hill.	of Cherokee.
Hines.	Turner.
Holland.	Vaughan.
Holloway.	Veatch.
Hoskins.	Wagstaff.
Howsley.	Walker.
Hughes.	Warwick.
Jackson.	West of Coryell.
Johnson	West of Cameron.
of Dallam.	Wyatt.
	Young.

Nays—1.

Farmer.

Present—Not Voting.

Adkins.

Absent.

Adams of Harris.	Hubbard.
Adamson.	Lasseter.
Anderson.	McCombs.
Beck.	McDougald.
Boyd.	McGill.
Carpenter.	Martin.
Coombes.	Metcalfe.
Davis.	Murphy.
DeWolfe.	Nicholson.
Dodd.	Olsen.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Farrar.	Sanders.
Ferguson.	Savage.
Finn.	Shelton.
Ford.	Terrell
Fuchs.	of Val Verde.
Gilbert.	Towery.
Giles.	Van Zandt.
Harrison	Weinert.
of Waller.	Westbrook.
Hatchitt.	Wiggs.
Holder.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL
NO. 54.**

Mr. Burns of Walker submitted the following conference committee report on Senate bill No. 54:

Committee Room,
Austin, Texas, April 9, 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your conference committee appointed by your respective bodies to consider Senate bill No. 54 and to adjust the differences between the two houses, having had said bill under consideration, beg to report that we have reached the following agreement, to-wit:

We have eliminated House amendment which struck out the words in lines 31 and 32 "since his conviction," leaving the original bill to contain said words as they appeared in the original bill.

Our reason for rejecting the House amendment which struck out the words "since his conviction," lines 31 and 32 of the bill, is because said amendment would result in confusing the procedure of determining insanity after conviction with the procedure determining the issue of insanity before conviction.

We have changed the House amendment which added the words, line 4, page 2, after the word "prison," "or county physician of the home county of the defendant or to the county where he was convicted," so as to read as follows: "or the county health officer of the county where the defendant was finally convicted."

Our reason for changing the language is that the amendment referred to the officer as "the county physician," whereas his correct title is "county health officer," and the reason for eliminating the words "home county" is because it is difficult at times to determine the home county of a transient person and is likely to bring about confusion in the statute.

We further report that the authors of the amendment herein eliminated and herein reworded have been consulted and are agreeable to our report in this respect.

Having carefully considered the bill and all amendments, it is our opinion that all amendments adopted by the House to the Senate bill should remain except as to the amendment above eliminated and the amendment reworded as hereinabove explained, we therefore recommend that the bill, in accordance with our recommendations, become the law and that this report, as made by your conference committee, be adopted.

Respectfully submitted,

WOODWARD,
MARTIN,
HORNSBY,
PURL,
SMALL,

On the part of the Senate.

BURNS of Walker,
FARRAR,
DAVIS,
GRAVES,
ANDERSON,

On the part of the House.

On motion of Mr. Burns of Walker, the House adopted the report by the following vote:

Yeas—100.

Mr. Speaker.	Adkins.
Adams of Jasper.	Akin.

Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Anderson.	Jones of Atascosa.
Baker.	Justiss.
Barron.	Kayton.
Beck.	Keller.
Bedford.	Kennedy.
Bounds.	Lemens.
Bradley.	Leonard.
Brice.	Lilley.
Brooks.	Lockhart.
Bryant.	Long.
Burns of Walker.	McGill.
Burns	McGregor.
of McCulloch.	Magee.
Caven.	Mathis.
Claunch.	Mehl.
Coltrin.	Moffett.
Cox of Lamar.	Moore.
Cox of Limestone.	Munson.
Cunningham.	O'Quinn.
Dale.	Patterson.
Daniel.	Petsch.
Donnell.	Ray.
Dowell.	Reader.
Elliott.	Richardson.
Engelhard.	Rogers.
Farrar.	Rountree.
Fisher.	Scott.
Forbes.	Sherrill.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stephens.
Hanson.	Stevenson.
Hardy.	Strong.
Harman.	Sullivant.
Hefley.	Tarwater.
Herzik.	Terrell
Hill.	of Cherokee.
Hines.	Turner.
Holland.	Vaughan.
Holloway.	Veatch.
Hoskins.	Wagstaff.
Howsley.	Walker.
Hubbard.	Warwick.
Hughes.	West of Coryell.
Jackson.	West of Cameron.
Johnson	Wyatt.
of Dallam.	Young.
Johnson	
of Dimmit.	

Nays—2.

Farmer.

Laird.

Absent.

Adams of Harris.	Duvall.
Adamson.	Dwyer.
Boyd.	Ferguson.
Carpenter.	Finn.
Coombes.	Ford.
Davis.	Fuchs.
DeWolfe.	Gilbert.
Dodd.	Giles.
Dunlap.	

Harrison	Pope.
of El Paso.	Ramsey.
Harrison	Ratliff.
of Waller.	Sanders.
Hatchitt.	Savage.
Holder.	Shelton.
Lasseter.	Terrell
McCombs.	of Val Verde.
McDougald.	Towery.
Martin.	Van Zandt.
Metcalfe.	Weinert.
Murphy.	Westbrook.
Nicholson.	Wiggs.
Olsen.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 610, WITH SENATE AMENDMENTS.

Mr. Petsch called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 610, A bill to be entitled "An Act regulating the taking of fish in Dimmit, Zavala, Medina, Uvalde, DeWitt, Brown, Hamilton, Coryell, Gonzales, Lamar, Bell, Collin, Grayson, Gillespie, Kendall, Blanco, Llano, Mason, McCulloch, San Saba, Cooke, Denton, Menard, Kimble, Jefferson, Orange, Mitchell, Fisher, Nolan, Chambers, Travis, Hardin, Lampasas, Fannin, Burnet and Williamson counties; permitting the taking or catching of suckers, buffalo, carp, shad or gar in any of the fresh waters in the above counties during the months of July, August, September and October with any seine or net of mesh of not less than one inch square; permitting the taking of suckers, buffalo, carp, shad or gar at any time of the year in any of the fresh waters in any of these counties by use of wire rope, grab hooks or gig, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Petsch, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Baker.
Adams of Jasper.	Barron.
Adkins.	Bedford.
Akin.	Bounds.
Albritton.	Bradley.
Alsup.	Brice.
Anderson.	Brooks.

Bryant.	Kayton.
Burns of Walker.	Keller.
Burns	Kennedy.
of McCulloch.	Laird.
Caven.	Lemens.
Claunch.	Leonard.
Coltrin.	Lilley.
Cox of Lamar.	Lockhart.
Cox of Limestone.	McGregor.
Cunningham.	Magee.
Dale.	Mathis.
Daniel.	Mehl.
Donnell.	Moffett.
Dowell.	Moore.
Dunlap.	Munson.
Elliott.	O'Quinn.
Engelhard.	Patterson.
Farrar.	Petsch.
Fisher.	Pope.
Forbes.	Ray.
Goodman.	Reader.
Graves.	Richardson.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Scott.
Hardy.	Sherrill.
Harman.	Smith of Bastrop.
Hefley.	Smith of Wood.
Herzik.	Stephens.
Hines.	Stevenson.
Holland.	Strong.
Holloway.	Tarwater.
Hoskins.	Terrell
Howsley.	of Cherokee.
Hubbard.	Turner.
Hughes.	Van Zandt.
Jackson.	Vaughan.
Johnson	Veatch.
of Dallam.	Wagstaff.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	West of Cameron.
Jones of Atascosa.	Wyatt.
Justiss.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Giles.
Adamson.	Harrison
Beck.	of El Paso.
Boyd.	Harrison
Carpenter.	of Waller.
Coombes.	Hatchitt.
Davis.	Hill.
DeWolfe.	Holder.
Dodd.	Lasseter.
Duvall.	Long.
Dwyer.	McCombs.
Ferguson.	McDougald.
Finn.	McGill.
Ford.	Martin.
Fuchs.	Metcalfe.
Gilbert.	Murphy.

Nicholson.	Sullivan.
Olsen.	Terrell
Ramsey.	of Val Verde.
Ratliff.	Towery.
Rogers.	Weinert.
Savage.	Westbrook.
Shelton.	Wiggs.
Sparkman.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 463, WITH SENATE AMENDMENTS.

Mr. Johnson of Dallam called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 463, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the repurchase of public school land in Dallam county forfeited and re-appraised under Chapter 94, an act approved March 19, 1925, and as amended by Chapter 25, an act approved October 27, 1926, for which applications or the first payment therefor was filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Johnson of Dallam, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Brice.
Adams of Jasper.	Brooks.
Adkins.	Bryant.
Akin.	Burns
Albritton.	of McCulloch.
Alsop.	Claunch.
Anderson.	Coltrin.
Baker.	Cox of Lamar.
Barron.	Cox of Limestone.
Beck.	Cunningham.
Bedford.	Dale.
Bounds.	Daniel.
Bradley.	Donnell.

Dowell.	Lemens.
Dunlap.	Leonard.
Elliott.	Lilley.
Engelhard.	Lockhart.
Farmer.	McGregor.
Farrar.	Magee.
Fisher.	Mathis.
Forbes.	Moffett.
Goodman.	Moore.
Greathouse.	Munson.
Grogan.	O'Quinn.
Hanson.	Patterson.
Hardy.	Petsch.
Harman.	Pope.
Hefley.	Ray.
Herzik.	Reader.
Hill.	Richardson.
Hines.	Rogers.
Holland.	Sanders.
Holloway.	Sherrill.
Hoskins.	Smith of Bastrop.
Howsley.	Smith of Wood.
Hubbard.	Sparkman.
Hughes.	Stephens.
Jackson.	Stevenson.
Johnson	Strong.
of Dallam.	Tarwater.
Johnson	Terrell
of Dimmit.	of Cherokee.
Johnson of Morris.	Turner.
Jones of Shelby.	Vaughan.
Jones of Atascosa.	Veatch.
Justiss.	Wagstaff.
Kayton.	Walker.
Keller.	Warwick.
Kennedy.	West of Coryell.
Laird.	West of Cameron.
Lasseter.	Wyatt.
Lee.	Young.

Absent.

Adams of Harris.	Long.
Adamson.	McCombs.
Boyd.	McDougald.
Burns of Walker.	McGill.
Carpenter.	Martin.
Caven.	Mehl.
Coombes.	Metcalf.
Davis.	Murphy.
DeWolfe.	Nicholson.
Dodd.	Olsen.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Ferguson.	Rountree.
Finn.	Savage.
Ford.	Scott.
Fuchs.	Shelton.
Gilbert.	Sullivant.
Giles.	Terrell
Graves.	of Val Verde.
Harrison	Towery.
of El Paso.	Van Zandt.
Harrison	Weinert.
of Waller.	Westbrook.
Hatchitt.	Wiggs.
Holder.	

Absent—Excused.)

Bond.	Satterwhite.
Morse.	Steward.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 10, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 283, and requests the appointment of a free conference committee. The following have been appointed on part of the Senate:

Senators Moore, Gainer, Woodruff, Hardin and Hornsby.

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 98 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, on its passage to engrossment,

H. B. No. 98, A bill to be entitled "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Farmer and substitute amendment by Mr. Laird, pending.

Mr. Farmer withdrew the pending amendment.

Question then recurring on the amendment by Mr. Laird, it was adopted.

House bill No. 98 was then passed to engrossment.

HOUSE BILL NO. 98 ON THIRD READING.

Mr. Warwick moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 98 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Barron.
Adams of Jasper.	Bedford.
Adamson.	Bounds.
Akin.	Bradley.
Albritton.	Brice.
Alsup.	Brooks.
Anderson.	Bryant.
Baker.	Burns of Walker.

Burns	Kennedy.
of McCulloch.	Laird.
Carpenter.	Lasseter.
Caven.	Lemens.
Claunch.	Leonard.
Coltrin.	Lilley.
Cox of Lamar.	Lockhart.
Cox of Limestone.	Long.
Cunningham.	Magee.
Dale.	Mathis.
Daniel.	Moffett.
Donnell.	Moore.
Dowell.	Munson.
Elliott.	Olsen.
Engelhard.	O'Quinn.
Farmer.	Patterson.
Farrar.	Petsch.
Fisher.	Pope.
Forbes.	Ray.
Giles.	Reader.
Goodman.	Richardson.
Graves.	Rogers.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Scott.
Hardy.	Sherrill.
Harman.	Smith of Bastrop.
Hefley.	Smith of Wood.
Herzik.	Sparkman.
Hill.	Stephens.
Hines.	Stevenson.
Holloway.	Strong.
Hoskins.	Sullivant.
Howsley.	Tarwater.
Hubbard.	Terrell
Hughes.	of Cherokee.
Jackson.	Turner.
Johnson	Van Zandt.
of Dallam.	Vaughan.
Johnson	Wagstaff.
of Dimmit.	Walker.
Johnson of Morris.	Warwick.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Justiss.	Wyatt.
Kayton.	Young.
Keller.	

Absent.

Adams of Harris.	Harrison
Adkins.	of Waller.
Beck.	Hatchitt.
Boyd.	Holder.
Coombes.	Holland.
Davis.	McCombs.
DeWolfe.	McDougald.
Dodd.	McGill.
Dunlap.	McGregor.
Duvall.	Martin.
Dwyer.	Mehl.
Ferguson.	Metcalf.
Finn.	Murphy.
Ford.	Nicholson.
Fuchs.	Ramsey.
Gilbert.	Ratliff.
Harrison	Savage.
of El Paso.	Shelton.

Terrell	Weinert.
of Val Verde.	Westbrook.
Towery.	Wiggs.
Veatch.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

The Speaker then laid House bill No. 98 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Jackson.
Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Akin.	of Dimmit.
Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Baker.	Jones of Atascosa.
Barron.	Justiss.
Bedford.	Kayton.
Bounds.	Keller.
Bradley.	Kennedy.
Brice.	Laird.
Brooks.	Lasseter.
Bryant.	Lemens.
Burns of Walker.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	Long.
Caven.	McGregor.
Claunch.	Magee.
Coltrin.	Mathis.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Munson.
Dale.	Olsen.
Donnell.	Patterson.
Dowell.	Petsch.
Dunlap.	Pope.
Elliott.	Ray.
Engelhard.	Reader.
Farmer.	Richardson.
Forbes.	Rogers.
Giles.	Rountree.
Goodman.	Sanders.
Greathouse.	Scott.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Hardy.	Smith of Wood.
Harman.	Sparkman.
Hefley.	Stephens.
Herzik.	Stevenson.
Hill.	Strong.
Hines.	Sullivant.
Holloway.	Tarwater.
Hoskins.	Terrell
Howsley.	of Cherokee.
Hubbard.	Turner.
Hughes.	Van Zandt.

Vaughan.	West of Coryell.
Veatch.	West of Cameron.
Wagstaff.	Wyatt.
Walker.	Young.
Warwick.	

Present—Not Voting.

Daniel.	Farrar.
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Absent.

Adams of Harris.	Holder.
Anderson.	Holland.
Beck.	McCombs.
Boyd.	McDougald.
Coombes.	McGill.
Davis.	Martin.
DeWolfe.	Mehl.
Dodd.	Metcalfe.
Duvall.	Murphy.
Dwyer.	Nicholson.
Ferguson.	O'Quinn.
Finn.	Ramsey.
Fisher.	Ratliff.
Ford.	Savage.
Fuchs.	Shelton.
Gilbert.	Terrell
Graves.	of Val Verde.
Harrison	Towery.
of El Paso.	Weinert.
Harrison	Westbrook.
of Waller.	Wiggs.
Hatchitt.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

BILLS SIGNED BY THE
SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 739, "An Act fixing the compensation of county commissioners in counties having a population of not more than six thousand three hundred twenty (6320) and not less than six thousand three hundred ten (6310) according to the United States census of 1930, and declaring an emergency."

H. B. No. 776, "An Act to fix the bag limit on quail and doves in Wood county; fixing the open season for killing quail and doves in said county; fixing the bag limit and open season for killing squirrels in said county; prohibiting hunting, taking or trapping in any way any fur-bearing animals in Wood county by transient or other persons who are not resident

citizens of said county; prescribing penalties for the violation of any of the provisions of this act; repealing Chapter 190 of General and Special Laws of the Regular Session of the Forty-first Legislature, and declaring an emergency."

H. B. No. 872, "An Act to levy and collect annually a \$3.50 road tax against all able-bodied male citizens of Burleson county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 787, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this act applicable only to counties having a population not exceeding 30,000, and declaring an emergency."

H. B. No. 846, "An Act permitting the taking or catching of catfish, drum, buffalo, suckers, carp, shad or gar in the fresh waters of Wood county during any month of the year except March and April with any seine or net with a mesh of not less than two inches square, etc., and declaring an emergency."

H. B. No. 53, "An Act to regulate the presentation, allowance, approval, classification and payment of claims and liens against estates of deceased persons and to direct the manner of collection and foreclosure of such liens; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 659, "An Act to amend House bill No. 18, Third Called Session of the Forty-first Legislature, to provide for and regulate the method of taking and catching fish in the publish fresh waters of Marion, Harrison and Rusk counties, State of Texas, permitting the use of seines, nets and fish traps of a specified size;

declaring seines, nets and fish traps of certain sizes to be a public nuisance; providing penalties for violations of this act, and declaring an emergency."

H. B. No. 693, "An Act to make it unlawful to take or kill wild quail of any species for a period of five years in Borden county, Texas, fixing penalty, and declaring an emergency."

H. B. No. 686, "An Act to amend Article 3943, Revised Civil Statutes of 1925, providing for commissions that shall be paid to the county treasurer and providing for one deputy in certain counties, and fixing compensation, and declaring an emergency."

H. B. No. 866, "An Act making it unlawful for any person to take or catch any kind of fish in any of the waters in Hays county during the months of February, March and April of each year, fixing a penalty, and declaring an emergency."

H. B. No. 864, "An Act providing for the jurisdiction of the county court of Kimble county, conferring upon said court civil and criminal jurisdiction and increasing the civil and criminal jurisdiction of said court; conforming the jurisdiction of the district and justice courts of said county to such change; fixing the time of holding the terms of the county court; repealing all laws in conflict with this act, and declaring an emergency."

HOUSE BILL NO. 24 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 24, A bill to be entitled "An Act to amend Article 701, of Chapter 1, Title 22, of the Revised Civil Statutes of the State of Texas of 1925; to provide that only property taxpaying voters, who pay a property tax, can vote in bond elections; providing that at least two-thirds of those voting in a bond election must approve the issuance of bonds; repealing all laws in conflict with this act, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 31 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 31, A bill to be entitled "An Act amending Section 17, subdivision 3, of Article 7065n, House

bill No. 6, Chapter 88, Second Called Session of Forty-first Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due, and declaring an emergency."

The bill was read third time.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 31, line 20, page 1, Section 1, of the printed bill, by striking out the words "Section 17, subdivision 3, of Article 7065n," and substituting in lieu thereof the following: "(3)."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 31, Section 2, page 2, line 12, of the printed bill, by striking out the words "Section 17, subdivision 5, of Article 7065n," and substituting in lieu thereof the following: "(5)."

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend the caption to House bill No. 31, after the words "an act" by striking out all after the words "an act" and substituting in lieu thereof the following:

"To amend Subdivisions (3) and (5) of Article 7065n, Section 17, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, and declaring an emergency."

The amendment was adopted.

House bill No. 31 was then passed by the following vote:

Yeas—105.

Mr. Speaker.	Cox of Limestone.
Adams of Jasper.	Cunningham.
Adamson.	Dale.
Adkins.	Daniel.
Akin.	Donnell.
Alsup.	Dowell.
Baker.	Dunlap.
Barron.	Elliott.
Bedford.	Engelhard.
Bounds.	Farmer.
Bradley.	Farrar.
Brice.	Fisher.
Brooks.	Forbes.
Bryant.	Giles.
Burns of Walker.	Goodman.
Burns	Graves.
of McCulloch.	Greathouse.
Carpenter.	Grogan.
Caven.	Hanson.
Claunch.	Hardy.
Coltrin.	Harman.
Cox of Lamar.	Harrison of El Paso.

Hefley.	Munson.
Herzik.	Olsen.
Hill.	Patterson.
Hines.	Petsch.
Holland.	Pope.
Holloway.	Ray.
Hoskins.	Reader.
Howsley.	Richardson.
Hubbard.	Rogers.
Hughes.	Rountree.
Jackson.	Sanders.
Johnson	Scott.
of Dallam.	Sherrill.
Johnson	Smith of Bastrop.
of Dimmit.	Smith of Wood.
Johnson of Morris.	Sparkman.
Jones of Shelby.	Stephens.
Justiss.	Stevenson.
Kayton.	Strong.
Keller.	Sullivant.
Kennedy.	Tarwater.
Laird.	Terrell of Cherokee.
Leonard.	Turner.
Lilley.	Van Zandt.
Lockhart.	Vaughan.
Long.	Veatch.
McGill.	Wagstaff.
McGregor.	Walker.
Magee.	Warwick.
Mathis.	West of Coryell.
Moffett.	Wyatt.
Moore.	Young.

Absent.

Adams of Harris.	Lasseter.
Albritton.	Lemens.
Anderson.	McCombs.
Beck.	McDougald.
Boyd.	Martin.
Coombes.	Mehl.
Davis.	Metcalf.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Duvall.	O'Quinn.
Dwyer.	Ramsey.
Ferguson.	Ratliff.
Finn.	Savage.
Ford.	Shelton.
Fuchs.	Terrell
Gilbert.	of Val Verde.
Harrison	Towery.
of Waller.	Weinert.
Hatchitt.	West of Cameron.
Holder.	Westbrook.
Jones of Atascosa.	Wiggs.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 36 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 36, A bill to be entitled "An Act validating the extension of the corporate limits of cities of more than 50,000 inhabitants according to the last United States census where such extension is made under the provision of any home rule charter or ordinance since the enactment of Chapter 110, General Laws of the Forty-first Legislature of the State of Texas of 1929, etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Holloway.
Adams of Jasper.	Hoskins.
Adamson.	Howsley.
Adkins.	Hubbard.
Akin.	Hughes.
Alsup.	Jackson.
Baker.	Johnson
Barron.	of Dallam.
Bedford.	Johnson
Bounds.	of Dimmit.
Bradley.	Johnson of Morris.
Brice.	Jones of Shelby.
Brooks.	Justiss.
Bryant.	Kayton.
Burns of Walker.	Keller.
Burns	Kennedy.
of McCulloch.	Leonard.
Carpenter.	Lilley.
Caven.	Lockhart.
Claunch.	Long.
Coltrin.	McGill.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Cunningham.	Mathis.
Dale.	Moffett.
Daniel.	Moore.
Donnell.	Munson.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Elliott.	Patterson.
Engelhard.	Petsch.
Farmer.	Pope.
Farrar.	Ray.
Fisher.	Reader.
Forbes.	Richardson.
Giles.	Rogers.
Goodman.	Sanders.
Graves.	Scott.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stephens.
Harrison	Stevenson.
of El Paso.	Strong.
Hefley.	Sullivant.
Herzik.	Tarwater.
Hill.	Terrell
Hines.	of Cherokee.
Holland.	Turner.

Van Zandt.	Warwick.	Akin.	Johnson
Vaughan.	West of Coryell.	Alsup.	of Dimmit.
Veatch.	Wyatt.	Baker.	Johnson of Morris.
Wagstaff.	Young.	Barron.	Jones of Shelby.
Walker.		Bedford.	Jones of Atascosa.
	Absent.	Bounds.	Justiss.
Adams of Harris.	Lasseter.	Bradley.	Kayton.
Albritton.	Lemens.	Brice.	Keller.
Anderson.	McCombs.	Brooks.	Kennedy.
Beck.	McDougald.	Bryant.	Laird.
Boyd.	Martin.	Burns of Walker.	Lasseter.
Coombes.	Mehl.	Burns	Leonard.
Davis.	Metcalfe.	of McCulloch.	Lilley.
DeWolfe.	Murphy.	Carpenter.	Lockhart.
Dodd.	Nicholson.	Caven.	Long.
Duvall.	Ramsey.	Claunch.	McGill.
Dwyer.	Ratliff.	Coltrin.	McGregor.
Ferguson.	Rountree.	Cox of Lamar.	Magee.
Finn.	Savage.	Cox of Limestone.	Mathis.
Ford.	Shelton.	Cunningham.	Moffett.
Fuchs.	Terrell	Dale.	Moore.
Gilbert.	of Val Verde.	Daniel.	Munson.
Harrison	Towery.	Donnell.	Olsen.
of Waller.	Weinert.	Dowell.	O'Quinn.
Hatchitt.	West of Cameron.	Dunlap.	Patterson.
Holder.	Westbrook.	Elliott.	Petsch.
Jones of Atascos.	Wiggs.	Engelhard.	Pope.
Laird.		Farmer.	Ray.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 39 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 39, A bill to be entitled "An Act to amend Chapter 29, Acts of the First Called Session of the Forty-first Legislature, relating to the selection of jurors in certain counties; providing for the appointment of jury commissioners to select jurors; providing the qualifications of said commissioners, etc., and declaring an emergency."

The bill was read third time.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 39, page 1, by striking out of Section 5 the following: "and shall not be applicable in any other county or counties."

The amendment was adopted.

House bill No. 39 was then passed by the following vote:

Yeas—107.

Mr. Speaker.	Adamson.
Adams of Jasper.	Adkins.

Johnson	of Dimmit.
Johnson of Morris.	Jones of Shelby.
Jones of Atascosa.	Justiss.
Kayton.	Keller.
Kennedy.	Laird.
Lasseter.	Leonard.
Lilley.	Lockhart.
Long.	McGill.
McGregor.	Magee.
Mathis.	Moffett.
Moore.	Munson.
Olsen.	O'Quinn.
Patterson.	Petsch.
Pope.	Ray.
Reader.	Richardson.
Rogers.	Rountree.
Sanders.	Scott.
Sherrill.	Smith of Bastrop.
Smith of Wood.	Sparkman.
Stephens.	Strong.
Sullivant.	Tarwater.
Terrell	of Cherokee.
Turner.	Van Zandt.
Vaughan.	Veatch.
Wagstaff.	Walker.
Warwick.	West of Coryell.
Wyatt.	Young.

Absent.

Adams of Harris.	Dwyer.
Albritton.	Ferguson.
Anderson.	Finn.
Beck.	Ford.
Boyd.	Fuchs.
Coombes.	Gilbert.
Davis.	Harrison
DeWolfe.	of Waller.
Dodd.	Hatchitt.
Duvall.	Holder.

Lemens.	Savage.
McCombs.	Shelton.
McDougald.	Stevenson.
Martin.	Terrell
Mehl.	of Val Verde.
Metcalfe.	Towery.
Murphy.	Weinert.
Nicholson.	West of Cameron.
Ramsey.	Westbrook.
Ratliff.	Wiggs.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

HOUSE BILL NO. 770 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—75.

Adams of Jasper.	Hefley.
Adamson.	Hines.
Adkins.	Holloway.
Akin.	Hoskins.
Baker.	Hughes.
Barron.	Johnson of Morris.
Bounds.	Jones of Shelby.
Bradley.	Jones of Atascosa.
Brice.	Kayton.
Brooks.	Keller.
Bryant.	Kennedy.
Burns of Walker.	Laird.
Carpenter.	Lasseter.
Claunch.	Leonard.
Coltrin.	Lilley.
Cox of Lamar.	Long.
Cunningham.	McGill.
Dale.	McGregor.
Donnell.	Magee.
Dowell.	Mathis.
Dunlap.	Moffett.
Elliott.	Moore.
Farmer.	Olsen.
Farrar.	O'Quinn.
Fisher.	Pope.
Forbes.	Ray.
Giles.	Rogers.
Goodman.	Sanders.
Graves.	Scott.
Greathouse.	Sherrill.
Hanson.	Smith of Bastrop.
Hardy.	Smith of Wood.
Harman.	Sparkman.

Stephens.	Van Zandt.
Stevenson.	Veatch.
Strong.	Walker.
Tarwater.	Wyatt.
Terrell	Young.
of Cherokee.	

Nays—29.

Albritton.	Johnson
Alsup.	of Dallam.
Beck.	Johnson
Burns	of Dimmit.
of McCulloch.	Justiss.
Caven.	Lemens.
Cox of Limestone.	Lockhart.
Daniel.	Munson.
Engelhard.	Patterson.
Harrison	Petsch.
of El Paso.	Reader.
Hill.	Rountree.
Holland.	Sullivant.
Howsley.	Turner.
Hubbard.	Wagstaff.
Jackson.	Warwick.
	West of Coryell.

Absent.

Adams of Harris.	McCombs.
Anderson.	McDougald.
Bedford.	Martin.
Boyd.	Mehl.
Coombes.	Metcalfe.
Davis.	Murphy.
DeWolfe.	Nicholson.
Dodd.	Ramsey.
Duvall.	Ratliff.
Dwyer.	Richardson.
Ferguson.	Savage.
Finn.	Shelton.
Ford.	Terrell
Fuchs.	of Val Verde.
Gilbert.	Towery.
Grogan.	Vaughan.
Harrison	Weinert.
of Waller.	West of Cameron.
Hatchitt.	Westbrook.
Herzik.	Wiggs.
Holder.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

Mr. Brooks moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

Reason for Vote.

We vote "no" on House bill No. 770 because in our opinion it is clearly unconstitutional.

HOWSLEY,
DANIEL.

HOUSE BILL NO. 850 ON SECOND
READING.

Mr. Keller moved to take up, for consideration at this time,

H. B. No. 850, A bill to be entitled "An Act permitting and authorizing constables in each justice precinct named and described to appoint deputy constables subject to the approval and confirmation of the commissioners court, and providing that the constables desiring to have a deputy or deputies appointed shall submit written application to the commissioners court showing the necessity for having such deputy or deputies appointed to handle the business originating in the precinct in which the constable was elected, etc., and declaring an emergency."

The bill having heretofore been laid on the table subject to call and due notice having been given that the motion to take the bill up would be made today.

The motion prevailed.

The Speaker then laid House bill No. 850 before the House, and it was read second time.

Mr. Keller offered the following amendment to the bill:

Amend House bill No. 850 below the enacting clause by striking out the words, "violating any provision hereof" in Section 4, and inserting in lieu thereof the following: "who serves as a deputy constable without the provisions hereof having been complied with relative to his appointment, or any constable who issues a deputyship without the consent and approval of the commissioners court."

The amendment was adopted.

House bill No. 850 was then passed to engrossment.

HOUSE BILL NO. 850 ON THIRD
READING.

Mr. Keller moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 850 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Barron.
Adams of Jasper.	Beck.
Adamson.	Bedford.
Adkins.	Bounds.
Akin.	Bradley.
Albritton.	Brice.
Alsup.	Bryant.
Baker.	Burns of Walker.

Burns	Kayton.
of McCulloch.	Keller.
Carpenter.	Kennedy.
Caven.	Laird.
Claunch.	Lasseter.
Coltrin.	Lemens.
Cox of Lamar.	Leonard.
Cox of Limestone.	Lilley.
Cunningham.	Lockhart.
Dale.	Long.
Daniel.	McGill.
Donnell.	Magee.
Dunlap.	Moffett.
Elliott.	Moore.
Engelhard.	Munson.
Farmer.	Olsen.
Farrar.	O'Quinn.
Forbes.	Patterson.
Giles.	Petsch.
Goodman.	Pope.
Graves.	Ray.
Greathouse.	Reader.
Grogan.	Rogers.
Hanson.	Rountree.
Hardy.	Sanders.
Harman.	Scott.
Hefley.	Sherrill.
Herzik.	Smith of Bastrop.
Hill.	Sparkman.
Hines.	Strong.
Holland.	Sullivant.
Holloway.	Tarwater.
Hoskins.	Terrell
Howsley.	of Cherokee.
Hubbard.	Turner.
Hughes.	Van Zandt.
Jackson.	Vaughan.
Johnson	Veatch.
of Dallam.	Wagstaff.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	Wyatt.
Jones of Atascosa.	Young.
Justiss.	

Nays—1.

Fisher.

Present—Not Voting.

Dowell.

Stephens.

Absent.

Adams of Harris.	Fuchs.
Anderson.	Gilbert.
Boyd.	Harrison
Brooks.	of El Paso.
Coombes.	Harrison
Davis.	of Waller.
DeWolfe.	Hatchitt.
Dodd.	Holder.
Duvall.	McCombs.
Dwyer.	McDougald.
Ferguson.	McGregor.
Finn.	Martin.
Ford.	Mathis.

Mehl.	Smith of Wood.
Metcalfe.	Stevenson.
Murphy.	Terrell
Nicholson.	of Val Verde.
Ramsey.	Towery.
Ratliff.	Weinert.
Richardson.	West of Cameron.
Savage.	Westbrook.
Shelton.	Wiggs.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

The Speaker then laid House bill No. 850 before the House on its third reading and final passage.

The bill was read third time.

Mr. Keller offered the following amendment to the bill:

Amend House bill No. 850 by striking out Section 3, page 2.

The amendment was adopted.

House bill No. 850 was then passed.

HOUSE BILL NO. 849 ON SECOND READING.

Mr. Keller moved to take up for consideration at this time,

H. B. No. 849, A bill to be entitled "An Act changing certain fees charged by the constables to make them correspond to the fees charged by the sheriffs; providing for things necessary and incidental, and declaring an emergency."

The bill having heretofore been laid on the table subject to call and due notice having been given that same would be taken up today.

The Speaker laid the bill before the House, and it was read second time.

Mr. Keller offered the following amendment to the bill:

Amend House bill No. 849 below the enacting clause by changing the word "returning" to "executing" in line 27, page 1, and the figures ".40" to "\$1.00" in line 28, page 1.

And further, by adding a new sentence between lines 28 and 29, on page 1, to read as follows:

"Returning such execution, order of sale, writ of possession or restitution40"

The amendment was adopted.

House bill No. 849 was then passed to engrossment.

HOUSE BILL NO. 849 ON THIRD READING.

Mr. Keller moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 849 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Howesley.
Adams of Jasper.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Akin.	Johnson
Albritton.	of Dimmit.
Alsup.	Johnson of Morris.
Baker.	Jones of Shelby.
Barron.	Justiss.
Beck.	Kayton.
Bedford.	Keller.
Bounds.	Kennedy.
Bradley.	Laird.
Brice.	Lasseter.
Bryant.	Lemens.
Burns of Walker.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	Long.
Caven.	McGill.
Claunch.	Magee.
Coltrin.	Moffett.
Cox of Lamar.	Moore.
Cox of Limestone.	Munson.
Cunningham.	Olsen.
Daniel.	O'Quinn.
Donnell.	Patterson.
Dowell.	Petsch.
Dunlap.	Pope.
Elliott.	Ray.
Engelhard.	Reader.
Farmer.	Rountree.
Farrar.	Sanders.
Giles.	Scott.
Goodman.	Sherrill.
Graves.	Smith of Bastrop.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hanson.	Stevenson.
Hardy.	Strong.
Harman.	Sullivant.
Harrison	Tarwater.
of El Paso.	Turner.
Hefley.	Van Zandt.
Herzik.	Veatch.
Hill.	Wagstaff.
Hines.	Walker.
Holland.	Warwick.
Holloway.	Young.

Nays—9.

Fisher.	Rogers.
Hoskins.	Stephens.
Hubbard.	Terrell
Jones of Atascosa.	of Cherokee.

West of Coryell. Wyatt.

Absent.

Adams of Harris.	McCombs.
Anderson.	McDougald.
Boyd.	McGregor.
Brooks.	Martin.
Coombes.	Mathis.
Dale.	Mehl.
Davis.	Metcalf.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Ferguson.	Richardson.
Finn.	Savage.
Forbes.	Shelton.
Ford.	Terrell
Fuchs.	of Val Verde.
Gilbert.	Towery.
Harrison	Vaughan.
of Waller.	Weinert.
Hatchitt.	West of Cameron.
Holder.	Westbrook.
Hughes.	Wiggs.

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

The Speaker then laid House bill No. 849 before the House on its third reading and final passage.

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Free Conference Committee report on Senate bill No. 54, by the following vote: Yeas 28, nays 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 625 ON SECOND READING.

Mr. Burns of McCulloch moved to take up for consideration at this time,

H. B. No. 625, A bill to be entitled "An Act defining trappers; requiring a license, and declaring an emergency."

Which bill had heretofore been laid on the table subject to call, and due

notice having been given that same would be taken up today.

The motion prevailed.

The Speaker then laid House bill No. 625 before the House, it was read second time, and was passed to engrossment.

HOUSE BILL NO. 625 ON THIRD READING.

Mr. Burns of McCulloch moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 625 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Holloway.
Adams of Jasper.	Hoskins.
Adamson.	Howesley.
Adkins.	Hubbard.
Akin.	Hughes.
Albritton.	Jackson.
Alsup.	Johnson
Baker.	of Dallam.
Barron.	Johnson
Beck.	of Dimmit.
Bedford.	Johnson of Morris.
Bounds.	Jones of Shelby.
Brice.	Jones of Atascosa.
Bryant.	Justiss.
Burns of Walker.	Kayton.
Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Laird.
Caven.	Lasseter.
Claunch.	Lemens.
Coltrin.	Leonard.
Cox of Lamar.	Lilley.
Cox of Limestone.	Lockhart.
Cunningham.	Long.
Daniel.	McGill.
Donnell.	Magee.
Dowell.	Moffett.
Dunlap.	Moore.
Elliott.	Munson.
Engelhard.	Olsen.
Farrar.	O'Quinn.
Fisher.	Patterson.
Forbes.	Petsch.
Giles.	Pope.
Goodman.	Reader.
Graves.	Rogers.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Scott.
Hardy.	Sherrill.
Harman.	Smith of Bastrop.
Hefley.	Smith of Wood.
Herzik.	Sparkman.
Hill.	Stephens.
Hines.	Stevenson.
Holland.	Strong.

Sullivant.	Wagstaff.
Tarwater.	Walker.
Terrell	Warwick.
of Cherokee.	West of Coryell.
Turner.	Wiggs.
Van Zandt.	Wyatt.
Vaughan.	Young.
Veatch.	

Nays—1.

Ray.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Holder.
Anderson.	McCombs.
Boyd.	McDougald.
Bradley.	McGregor.
Brooks.	Martin.
Coombes.	Mathis.
Dale.	Mehl.
Davis.	Metcalf.
DeWolfe.	Murphy.
Dodd.	Nicholson.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Ferguson.	Richardson.
Finn.	Savage.
Ford.	Shelton.
Fuchs.	Terrell
Gilbert.	of Val Verde.
Harrison	Towery.
of El Paso.	Weinert.
Harrison	West of Cameron.
of Waller.	Westbrook.
Hatchitt.	

Absent—Excused.

Bond.	Satterwhite.
Lee.	Steward.
Morse.	

The Speaker then laid House bill No. 625 before the House on its third reading and final passage.

The bill was read third time.

Mr. Burns of McCulloch offered the following amendment to the bill:

Amend printed bill of House bill No. 625 by striking out lines 6, 7, 8 and 9, on page 1, and insert in lieu thereof the following: "A bill to be entitled 'An Act amending Section 56, Acts of the Fifth Called Session of the Forty-first Legislature, requiring a trappers' license, and declaring an emergency.'"

The amendment was adopted.

House bill No. 625 was then passed.

CONFERENCE COMMITTEE ON SENATE BILL NO. 283.

The Speaker announced the appointment of the following conference committee on Senate bill No. 283:

Messrs. Stevenson, Pope, Holder, Metcalfe and McGill.

BILL LAID ON THE TABLE SUB- JECT TO CALL.

On motion of Mr. Hubbard (by unanimous consent), House bill No. 163 was laid on the table subject to call.

HOUSE BILLS ON FIRST READ- ING.

(By Unanimous Consent.)

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Claunch:

H. B. No. 1017, A bill to be entitled "An Act amending Chapter 44, Acts Regular Session, Forty-first Legisla-
ture, and declaring an emergency."

(Relating to salary of county superintendent of public instruction of certain counties.)

Referred to Committee on Educa-
tion.

By Mr. Scott:

H. B. No. 1018, A bill to be entitled "An Act providing for the organiza-
tion and regulation in State repre-
sentative districts having a certain
population of local mutual automobile
insurance associations; defining and
regulating their risks, independence,
organization, membership, benefits,
assessments, investments, liabilities,
and providing for other details inci-
dent to the subject-matter; providing
a saving clause, and declaring an
emergency."

Referred to Committee on Insur-
ance.

ENTERTAINMENT BY CHORAL CLUB FROM STATE SCHOOL FOR COLORED BLIND.

In accordance with a resolution heretofore adopted, inviting a chorus from the State School for the Blind for Colored to sing in the House, the choral club, being admitted to the House, occupied seats on the Speaker's stand.

The chorus then sang several selec-
tions for the House.

RECESS.

On motion of Mr. Johnson of Dim-
mit, the House, at 6 o'clock p. m.,
took recess to 9 o'clock a. m. to-
morrow.

APPENDIX.

STANDING COMMITTEE
REPORTS.

The following committees have filed favorable reports on bills, as follows:

Counties: House bills Nos. 823 and 825.

Appropriations: House bill No. 539.

Constitutional Amendments: Senate joint resolutions Nos. 13 and 2.

Game and Fisheries: Senate bills Nos. 566 and 500.

Judiciary: House bill No. 1015; Senate bills Nos. 306, 59, 60, 61, 63 and 64.

Penitentiaries: House bill No. 830.

Public Lands and Buildings: Senate bill No. 363.

Insurance: House bill No. 512, and Senate bill No. 102.

Revenue and Taxation: House bill No. 707.

State Affairs: House bills Nos. 38 and 626; Senate bills Nos. 528, 45, 118 and 352.

The Committee on State Affairs filed an adverse report on Senate bill No. 585.

REPORT OF THE COMMITTEE
ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 932, A bill to be entitled "An Act authorizing the county boards of certain counties to set aside an amount not to exceed \$600 to defray the expenses of the county superintendent and the county board of trustees in the administration of scholastic affairs, repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE
ON ENROLLED BILLS.

Committee Room,
Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 874, "An Act to authorize

the selection of school depositories for independent districts in certain counties regardless of the population of said districts, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 865, "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 859, "An Act to repeal Chapter 97 of the Special Laws of the Thirty-ninth Legislature, and Chapter 30, Special Laws of the First Called Session of the Fortieth Legislature, being local road laws for the County of Wood,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 761, "An Act to amend Article 1160, Penal Code, 1925, relating to the offense of assault with intent to murder and adding to Chapter 4, Title 15, Penal Code of the State of Texas, Article 1160a, providing that upon the trial of one charged with the offense mentioned there shall be an instruction defining malice aforethought and in a proper case, murder without malice; fixing the penalty for assault with intent to murder without malice; repealing all

laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 760, "An Act to amend Chapter 274, Acts of the Fortieth Legislature, Regular Session, as amended by Chapter 8, Acts of the Fortieth Legislature, First Called Session, relating to the offense of murder, providing additional procedure for instructing the jury upon the trial of the offense of murder, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 744, "An Act repealing Chapter 86, of the Third Called Session of the Thirty-sixth Legislature, known as House bill No. 164, and being a Special Road Law for Blanco county; and providing that the General Road Laws of the State of Texas shall govern in Blanco county from the date of the passage of this act, with the following exceptions and additional provisions herein set out; and providing for the refunding of indebtedness of Blanco county, heretofore made and evidenced by warrants or certificates of indebtedness heretofore issued, and as such same shall be known as the Local Road Laws of Blanco county, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 571, "An Act providing a more efficient road law for Sabine county, Texas; authorizing the com-

missioners court to refund the indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; making this act cumulative of all other laws applicable to said laws in harmony with the provisions hereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 570, "An Act providing a more efficient road law for Sabine county, Texas; authorizing the commissioners court to refund the matured and unpaid principal and interest of its county-wide road bonds, dated January 1, 1918, by the issuance of refunding bonds in said amount, bearing interest at the same or a lower rate than the interest of said original bonds; providing for their maturities, for the levy of a tax in payment thereof; making this act cumulative of all other laws applicable to said county in harmony with the provisions hereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 40, Relating to spread of Johnson grass and other grasses.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 477, "An Act to amend Article 6899a of Chapter 1, Title 121, of the Revised Civil Statutes of 1925, which was enacted at the Regular

Session of the Forty-first Legislature, page 561, Chapter 273, so as to include Wharton county."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 13, "An Act to encourage and aid in the conservation of soil fertility in the counties of Texas, and to maintain the productiveness of agricultural lands for the production of essential foods and commercial crops upon which the public well-being depends; authorizing co-operation between the counties and owners of lands in conserving soil fertility; provided that the commissioners court shall not go upon the land of any owner unless requested to do so in writing by such owner; and provided further, that the commissioners court shall not be required to do such work unless such court shall determine that such work is of some public benefit, and said court elects to do the work, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 124, "An Act to confirm and validate the sale by the State, acting through the Board of Regents of the University of Texas of certain University lands situated in Lamar county, Texas, reserving to the State the minerals in said lands, and creating an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 9, An Act defining fraternal benefit societies, providing a lodge system and requiring a repre-

sentative form of government; prescribing the qualifications of membership therein, and granting members right to designate their own beneficiaries; and requiring maintenance of adequate reserves for payment of benefits; and providing for penalty and attorney's fees for failure to pay claims; amending Articles 4820, 4821, 4822, 4824, and repealing Article 4833 of the Revised Statutes of Texas of 1925; and also amending Article 4831 of an act passed by the Forty-first Legislature at its Second Called Session, entitled 'An Act to authorize the members of fraternal benefit societies to select their own beneficiaries and direct the payment of benefits,' and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act regulating the practice of medicine; amending Article 4495, Revised Civil Statutes, 1925, so as to provide for the Texas State Board of Medical Examiners and for the appointment of the members of said board, and prescribing their terms of office; amending Article 4498, Revised Civil Statutes of 1925, and Article 739 of the Penal Code of Texas as codified in 1925, so as to provide that it shall be unlawful for any one to practice medicine, in any of its branches, upon human beings within this State who has not registered in the district clerk's office of every county in which he may reside, and in each and every county in which he may maintain an office or may designate a place for meeting, advising with, treating in any manner, or prescribing for patients, his certificate evidencing his right to practice medicine, as issued to him by the Texas State Board of Medical Examiners, together with his age, postoffice address, place of birth, name of medical college from which he graduated and date of graduation, all subscribed and verified by oath, which, if wilfully false, shall subject the affiant to conviction and punishment for false swearing, as provided by law; and so as to provide that the holder of every

such certificate must have the same recorded upon each change of residence, as well as in each and every county in which he may maintain an office, or in which he may designate a place for meeting, advising with, treating in any manner or prescribing for patients, and providing that the absence of such record in any place where such record is required by this act shall be prima facie evidence of the want of possession of such certificate; and providing that if, after the passage of this act, any person shall be prosecuted for the unlawful practice of medicine, occurring before the act becomes effective, the case shall be governed in all respects by the law in force at the time the alleged criminal act was committed; and further providing that this act is intended to amend certain designated articles of the Revised Civil Statutes of 1925, and certain designated articles of the Penal Code of 1925, and providing that the articles thus amended shall be construed in connection with the other articles constituting a part of the same chapters of the Revised Civil Statutes and Penal Code in which the articles of the same number now appear; and providing that nothing in this act shall have the effect of repealing, amending or in any wise modifying the provisions of Chapter 11, Title 71, Revised Civil Statutes of 1925; and providing that if any section, subsection, sentence, clause or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, it being the intent of the Legislature that such remaining portions shall operate as a valid law, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 872, "An Act to levy and collect a three dollars and fifty cents (\$3.50) road tax against all able-bodied male citizens of Burleson county, Texas, who are between the ages of twenty-one (21) and forty-five (45) years; providing the manner of assessment and collection of

said tax, and repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 866, "An Act making it unlawful for any person to take or catch any kind of fish in any of the waters in Hays county during the months of February, March and April of each year; fixing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 846, "An Act permitting the taking or catching of catfish, drum, buffalo, suckers, carp, shad or gar in the fresh waters of Wood county during any month of the year except March and April with any seine or net with a mesh of not less than two inches square; providing that all bass, trout, crappie or white perch, bream or perch taken or caught with a net, seine or trap in said county shall be immediately returned to the waters where taken uninjured; making it unlawful to sell any trout, bass, crappie or white perch, bream or other perch taken from the fresh waters of Wood county; making it lawful to trap in the waters of the Sabine river; providing penalties, repealing clause, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 787, "An Act to validate all ad valorem tax levies heretofore

made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this act applicable only to counties having a population of fourteen thousand, five hundred and eighty-eight (14,588) to fourteen thousand, eight hundred (14,800), according to the last preceding United States census, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 776, "An Act to fix the bag limit on quail and doves in Wood county, fixing the open season for killing quail and doves in said county; fixing the bag limit and open season for killing squirrels in said county; prohibiting hunting, taking or trapping in any way any fur-bearing animals in Wood county by transient or other persons who are not resident citizens of said county; prescribing penalties for the violation of any of the provisions of this act; repealing Chapter 190 of General and Special Laws of the Regular Session of the Forty-first Legislature, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 739, "An Act fixing the compensation of county commissioners in counties having a population of

not more than six thousand, three hundred twenty (6320) and not less than six thousand, three hundred ten (6310), according to the most recent United States census, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 686, "An Act to amend Article 3943, Revised Civil Statutes of 1925, providing for commissions that shall be paid to the county treasurer, and providing for one (1) deputy in certain counties, and fixing compensation, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 693, "An Act to make it unlawful to take or kill wild quail or any species for a period of five years in Borden county, Texas; fixing penalty, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 53, "An Act to regulate the presentation, allowance, classification and payment of claims and liens against estates of deceased persons and to direct the manner of collection and foreclosure of such liens; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room.
Austin, Texas, April 10, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 659, "An Act to amend
House bill No. 18, Third Called Ses-
sion of the Forty-first Legislature, to
provide for and regulate the method
of taking and catching fish in the

public fresh waters of Harrison, Ma-
rion and Rusk counties, State of
Texas, permitting the use of seines,
nets and fish traps of a specified size;
declaring seines, nets and fish traps
of certain sizes to be a public nui-
sance; providing penalties for viola-
tions of this act, and declaring an
emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

In Memory
of
Hon. Nicholas Longworth

Mr. McGregor offered the following resolution:

Whereas, On yesterday, April 9th, Hon. Nicholas Longworth of the city of Cincinnati and Speaker of the House of Representatives of the American Congress, was called by death; and

Whereas, The Speaker of the House of Representatives of the State of Texas, upon being advised of his death, appointed a committee from the House to prepare and submit to this House suitable and proper resolutions on the death of this distinguished American; and

Whereas, Texas shares in common with her sister States the grief and loss occasioned by the death of this outstanding son of the great State of Ohio, she also recalls and pauses now to express a remembered gratitude to Cincinnati and Ohio for the sympathy and support accorded by them to Texas in the struggle and achievement of the young Republic; and

Whereas, The Hon. John N. Garner, in his tribute appearing in today's press to the memory of Mr. Longworth, expresses the feelings and sentiments of the people of Texas, and which is as follows:

"I was intimately associated with Speaker Longworth for nearly thirty years. We were elected to Congress the same year, and from the beginning served on the same committees—Foreign Affairs, and Ways and Means. He went to the Speakership, I to the leadership of the Democratic minority. I knew him as a man and as a legislator, and he was the best type of each. His statesmanship was of the highest and most patriotic; true, he was a partisan, but he was honest and courageous and loved his country. He was as fair and impartial a Speaker as the country has had in the last half century. He was a regular Republican, which means that he believed in party organization and party responsibility, which is the opinion of most men who have had experience in legislative efforts. It had been our constant habit for years to meet each evening after Congress adjourned and discuss the happenings of the day and the probable happenings of the morrow. In these late afternoon conferences we often discussed the policies of the Congress in a patriotic spirit, and many propositions were solved. A good many of them are on the statute books today. Of course, we had differences, and our political fights were sometimes intense, even tinged with acrimony, but there was always respect for the views of each and a realization that each was trying to serve his country from his respective point of view. When the fight was over, our efforts were celebrated in the usual manner, differences forgotten and good fellowship resumed. Longworth and I were closely associated socially. I had the pleasure of attending his wedding. He was an aristocrat, I as plebeian. Perhaps the very fact of our different rearing intensified our interest in each other. I have lost one of the best friends of a lifetime, the country a good citizen, and the Congress a most valuable legislator."

Therefore, be it resolved, by the House of Representatives of the State of Texas, That it express its approval of the sympathy and sentiments expressed by Hon. John N. Garner on the death of Hon. Nicholas Longworth; that we concur in the estimate he formed and held of this great American; we appreciate and deplore the loss which his death has occasioned the American people, and we join Cincinnati and Ohio in their grief; be it further

Resolved, That a copy of these resolutions be sent to the Chief Clerk of the Congress of the United States and to the Governor of the State of Ohio, and the Mayor of the city of Cincinnati.

MCGREGOR,
KELLER,
SATTERWHITE.

The resolution was read second time, and was adopted by a rising vote.